



PATENT  
Customer Number 22,852  
Attorney Docket No. 02481.1751-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cordula HOPMANN et al.

Application No.: 09/966,109

Filed: October 1, 2001

For: CITRULLIMYCINES, A  
PROCESS FOR THEIR  
PRODUCTION AND THEIR  
USE AS PHARMACEUTICALS

Group Art Unit: 1623

Examiner: Elli Peseev

**RECEIVED**

MAY 06 2003

TECH CENTER 1600/2900

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUBMISSION OF DEPOSIT DECLARATION**

Applicants submit herewith a Deposit Declaration Under 37 C.F.R. § 1.801 et  
seq.

Please grant any extensions of time required to enter this Declaration and charge  
any required fees associated therewith to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Charles E. Van Horn

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Dated: May 5, 2003



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TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**DEPOSIT DECLARATION UNDER 37 C.F.R. § 1.801 et seq.**

We, the undersigned, do hereby declare:

1. We are citizens of Germany.
2. We are authorized to act on behalf of Aventis Pharma Deutschland GmbH, of Frankfurt am Main, Germany, to which this patent application has been assigned.
3. On information and belief, an isolate of *Streptomyces* species ST 101396 has been deposited at the Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH (DSM), Mascheroder Weg 1B, 38124 Braunschweig, Germany, under the provisions of the Budapest Treaty, and has been assigned reference number No. DSM 13309.
4. On information and belief, the DSM has acquired the status of International Depositary Authority within the meaning of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of the Patent Procedure.

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5. On information and belief, all restrictions on the availability to the public of the deposited culture No. DSM 13309 will be irrevocably removed no later than the granting of a U.S. Patent from the above-identified application.

6. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

per E.M. Wein  
Name: E.-M. Wein  
Title: Senior Director  
Date: Apr. 24, 2003

F. Sieber  
Name: F. Sieber  
Title: Patent Manager  
Date: Apr. 24, 2003

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